

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

The Applicants acknowledge with appreciation the indication in the Office Action that claim 10 is allowed. The subject matter of claim 10 is now incorporated into new claim 33.

Claims 1-22 have been cancelled in favor of new claims 23-46. Support for the subject matter of the new claims is provided in the original claims, Figs. 22 and 23, and paragraphs [0135]-[0138], [0169], [0177]-[0179], [0185]-[0193], and [0221] of the published specification. (It should be noted that references herein to the specification and drawings are for illustrative purposes only and are not intended to limit the scope of the invention to the referenced embodiments.)

Claims 1-9 and 11-22 stand rejected, under 35 USC §103(a), as unpatentable over Murakami et al. (US 2004/01211827) in view of Tirkkonen et al. (US 2004/0131041) and Kim et al. (US 2004/0132496). The Applicants respectfully traverse.

Murakami has a U.S. filing date of November 12, 2003, and qualifies as a reference against the present application only through 35 USC §102(e). Both Murakami's patent and the present application were, at the time the present invention was made, owned by or subject to an obligation of assignment to the same owner, Matsushita Electric Industrial Co., Ltd. (renamed Panasonic Corporation). Therefore, under the provisions of 35 USC §103(c), Murakami is disqualified as a 35 USC §103(a) reference against the present application.

Independent claims 23, 34, and 43 recite subject matter of cancelled claims 1, 11 and 19, respectively. Because all of the rejections are 35 USC §103(a) rejections that rely on Murakami,

withdrawal of all rejections and allowance of independent claims 23, 34, and 43 and all claims dependent therefrom is warranted.

In view of the above, it is submitted that this application is in condition for allowance, and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

/James Edward Ledbetter/

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JEL/DWW/att

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